

REMARKS

The allowance of Claims 39 - 49 is noted with appreciation.

With respect to the rejection of Claim 50, Applicant firmly disagrees with the interpretation of the teaching of the reference for the reasons set forth in the prior Amendment. However, solely in order to advance the subject Application to immediate allowance, Claims 50 and 51 have been cancelled and the combined subject matter thereof is presented as New Claim 60. In view of the allowability of former Claim 51, New Claim 60 is obviously allowable.

In view of the above, the sole remaining issue is the rejection of Claims 52 - 54 based upon Applicant's prior U.S. Patent 6,688,394. However, upon review, it will be apparent that this patent is not a reference against the subject Application, such that the present Application is in immediate condition for allowance. The reasons are as follows:

1. The rejection stated on page 2 of the Office Action is based upon 35 USC 102 (e) and states that the "reference has a common inventor". Upon review it will be noted that Applicant, Laurence J. Ayling, is the **sole** inventor in both the present

Application and in his prior Patent 6,688,394. Accordingly, Section 102 **(e)** is not applicable.

Rather, any rejection would have to be under 35 USC 102 **(b)**. However, Section 102 (b) provides that the reference must be published "more than one year prior to the date of the application for patent in the United States".

In this case, the subject Application was filed on 2 October 2004, and Applicant's '394 Patent was issued on 10 February 2004; only eight months prior. Accordingly, Applicant's '394 Patent is not a reference with respect to the subject Application.

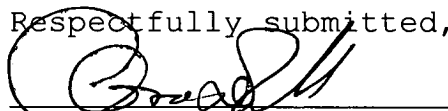
2. Secondly, and in addition to the foregoing reason, in Applicant's Declaration accompanying the filing of the subject Application, Applicant claimed his rightful Priority Date of 5 April 2002 based upon U.K. Application 02/07908.5. Certified copy thereof was filed on 2 May 2006 per the attached copy of the Transmittal Letter (Exhibit A) and the Return Receipt Postcard marked as Exhibit B.

Accordingly, for each of the above reasons it is clear that Applicant's prior '394 Patent is not a reference against the subject Application.

Please note that firm Bartlett & Sherer now has a Customer Number, 75981 and we are attaching a Change of Address Form.

Therefore, all impediments to allowance have been removed by the subject Amendment such that the subject Application is in immediate condition for allowance, which action is respectfully requested.

Respectfully submitted,



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